



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: NAN-2006-3311-EST
Issue Date: 6 November 2007
Expiration Date: 6 December 2007

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and section 404 Clean Water Act.

APPLICANT: Sandpiper Court Association
C/o Dr. Jack Giannola
17 Sandpiper Court
Westhampton, NY 11977

ACTIVITY: Ten years maintenance dredging of Sandpiper Lagoon with dredged material placement at approved upland disposal sites.

WATERWAY: Sandpiper Lagoon, a tributary to Moriches Bay

LOCATION: Westhampton, Suffolk County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed

activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (16 U.S.C. 1855(b)), requires all federal agencies to consult with the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Consultation with NMFS was completed under the MSFCMA in order to protect EFH special conditions that would be incorporated into any issued permit including a no dredging window of January 15 to September 30 of any calendar year and measures to ensure successful mitigation.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. New York State Department of State has concurred with the applicant's certification. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for

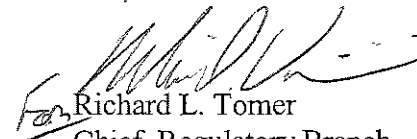
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PUBLIC NOTICE NO. NAN-2006-3311-EST

the activity under consideration:

- New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8533 and ask for Leo Strogach.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

Enclosures

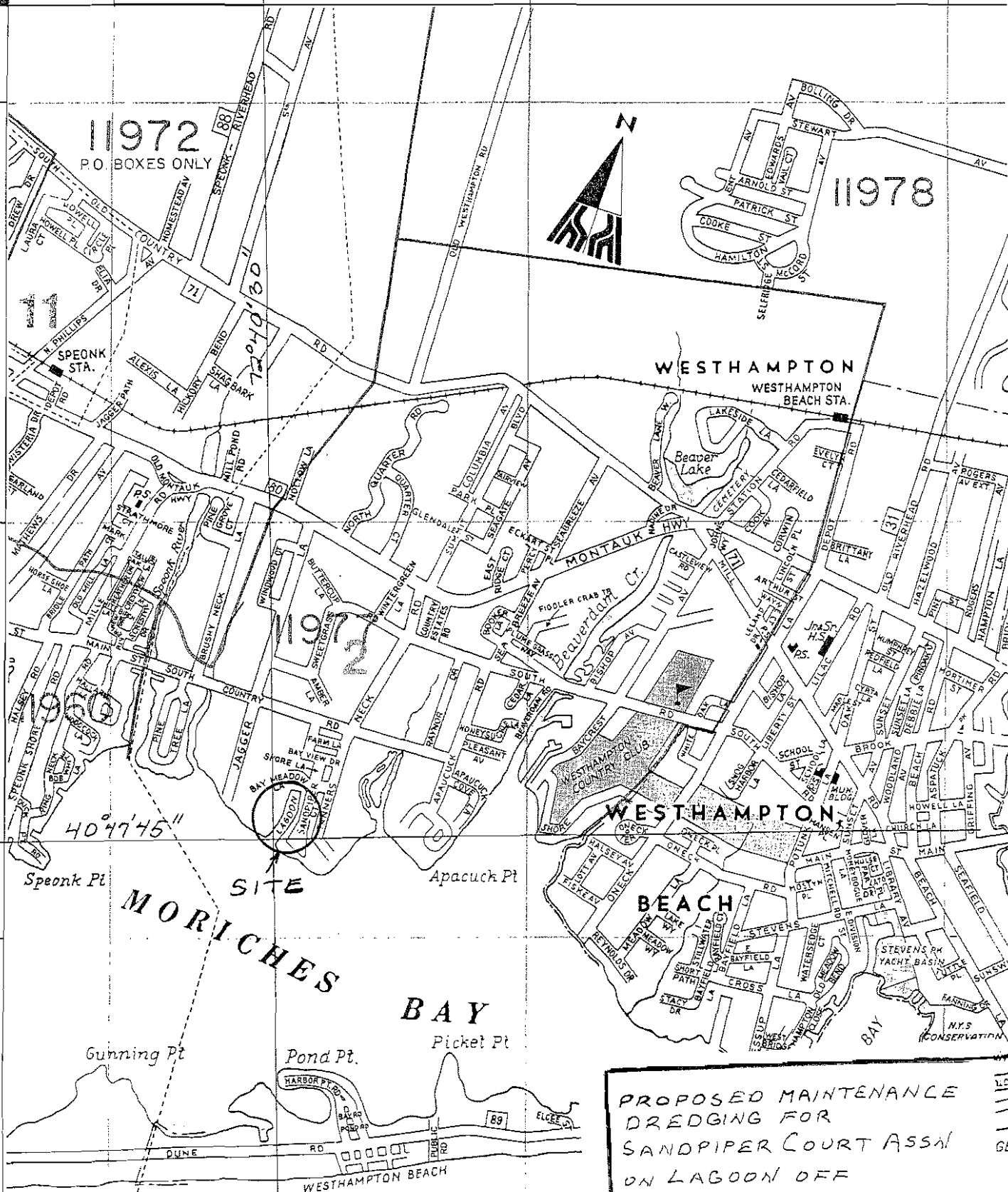
WORK DESCRIPTION

The applicant, Sandpiper Court Association, has requested Department of the Army authorization for 10 years maintenance dredging permit of Sandpiper Lagoon, in the Town of Westhampton, Suffolk County, New York.

The work would involve the following: dredging of the entire 1,200 linear feet of Sandpiper Lagoon to variable widths and a maximum depth of 4 feet below MLW. Initial dredging will remove approximately 5,000 cubic yards of dredged material (estimated over 90% sand). It is proposed to place the dredged material at the following upland locations: 9 Sandpiper Court, 11 Sandpiper Court, 13 Sandpiper Court, with the remainder of dredged material to be tracked to Transmines upland facility in Westhampton. No return flow will be allowed. Impacts to *Spartina Alterniflora*, which had colonized the outer fringes of the sandbar (approximately 1,800 square feet of vegetated wetlands located across from 11 Sandpiper Court) that will be removed as a result of the proposed dredging, is proposed to be mitigated for prior to start of dredging operations via planting of a mudflat area west of the canal, on the property of Mr. Matthews, located at 9 Bay Meadow Lane. Five thousand four hundred square feet is proposed to be planted to mitigate disturbance to the original habitat.

Subsequent dredging events are anticipated to consist of similar amounts or less of dredged material which will also be placed in uplands.

The stated purpose of this project is to restore navigation in Sandpiper Lagoon, which is privately owned by the members of Sandpiper Court Association.



EN-CONSULTANTS INC.
1319 NORTH SEA RD.
SOUTHAMPTON, N.Y. 11968
631-283-6360

PROPOSED MAINTENANCE
DREDGING FOR
SANDPIPER COURT ASSAI
ON LAGOON OFF
MORICHES BAY AT
WESTHAMPTON,
SUFFOLK CO., N.Y.
SHEET 1 of 8 7/10/06
7/20/06
3/3/07

App/ 2006-3311

Bay Meadow Lane

SCT
#900-382-1-59
Boylan # 25
Sandpiper Court

SCT
#900-382-1-17.16
Behar # 3
Bay Meadow Lane

SUFFOLK CO. HAGSTROM
MAP 24 1" = 3000'

SCT
#900-382-1-58
Rubin # 23
Sandpiper Court

SCT
#900-382-1-57
Zgodny # 21
Sandpiper Court

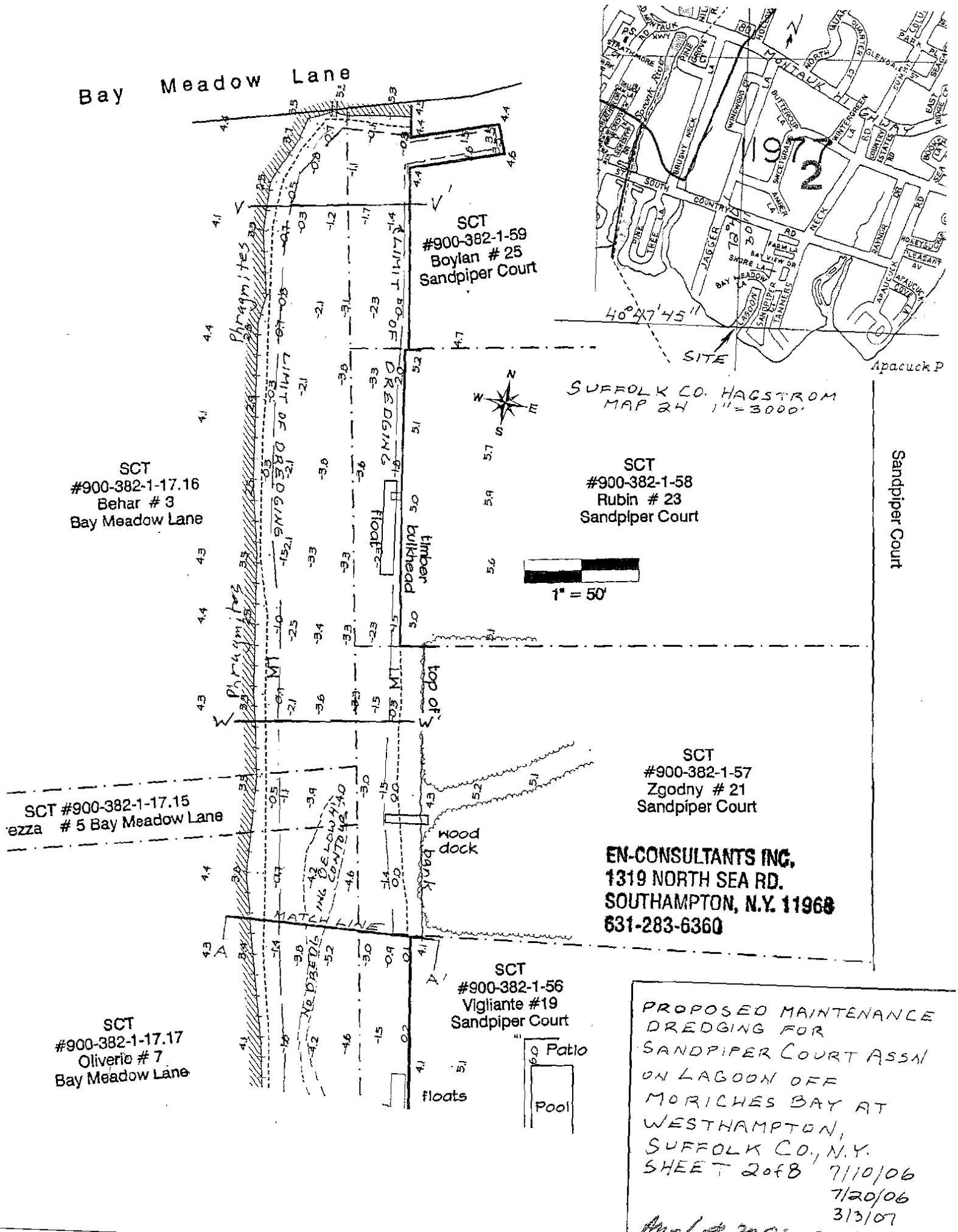
EN-CONSULTANTS INC.
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631-283-6360

SCT
#900-382-1-56
Vigliante #19
Sandpiper Court

SCT
#900-382-1-17.17
Oliverio # 7
Bay Meadow Lane

PROPOSED MAINTENANCE
DREDGING FOR
SANDPIPER COURT ASSAIL
ON LAGOON OFF
MORICHES BAY AT
WESTHAMPTON,
SUFFOLK CO., N.Y.
SHEET 2 of 8 7/10/06
7/20/06
3/3/07

App/ # 2006-2711



SCT
#900-382-1-17.17
Oliverio # 7
Bay Meadow Lane

Boundary Lines as
per Filed Map

SCT
#900-382-1-17.18
Matthews # 9
Bay Meadow Lane

SCT
#900-382-1-56
Vigliante #19
Sandpiper Court

SCT#
900-382-1-55
Giannola # 17
Sandpiper
Court

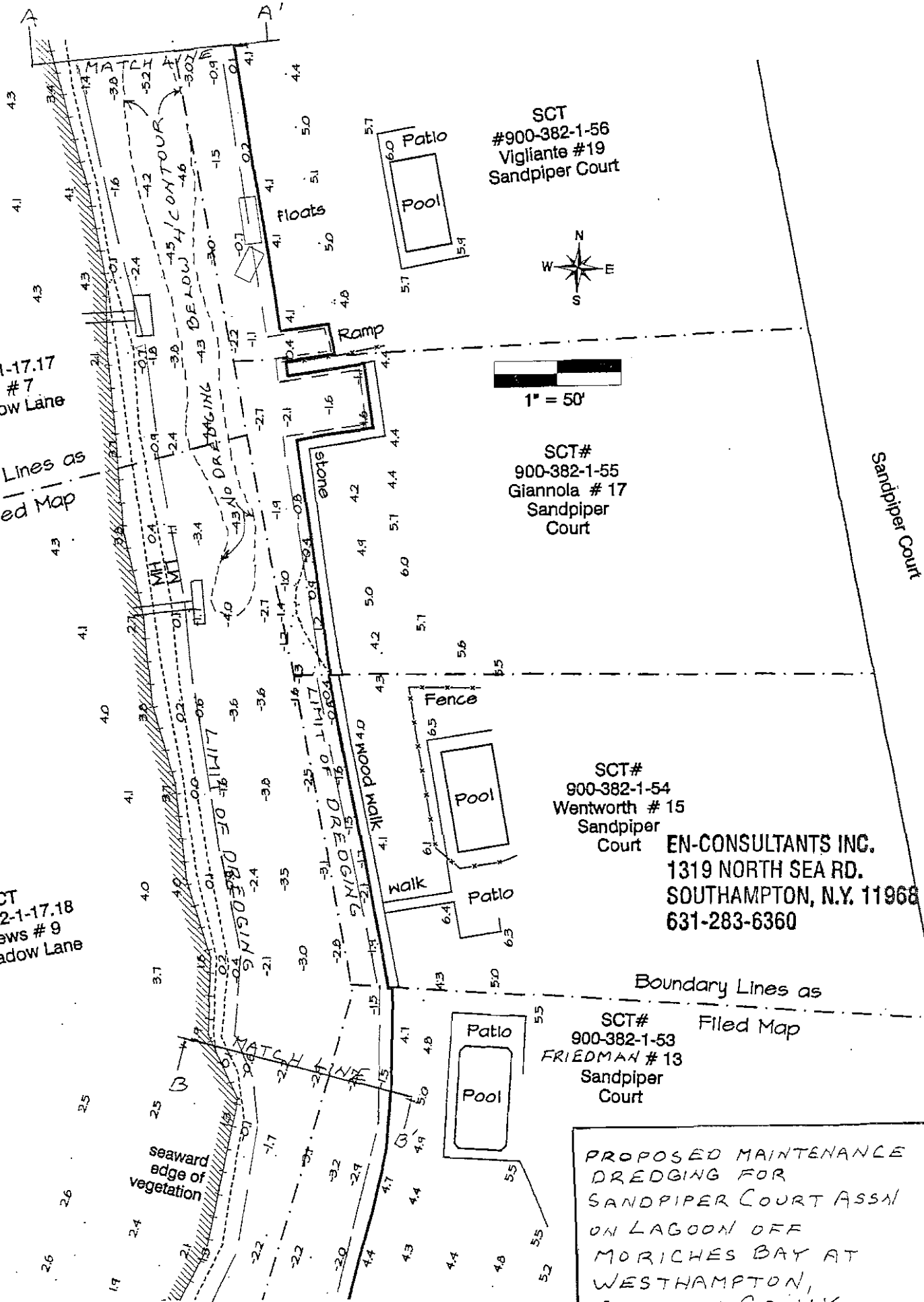
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Wentworth # 15
Sandpiper
Court

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SOUTHAMPTON, N.Y. 11968
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SCT#
900-382-1-53
FRIEDMAN # 13
Sandpiper
Court

PROPOSED MAINTENANCE
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SANDPIPER COURT ASSN
ON LAGOON OFF
MORICHES BAY AT
WESTHAMPTON,
SUFFOLK CO., N.Y.
SHEET 3 of 8 7/10/06

3/3/07 7/20/06
MAD #2006-3311



SCT#
900-382-1-53
FRIEDMAN # 13
Sandpiper
Court

seaward
edge of
vegetation

Phragmites

SCT
#900-382-1-17.18
Matthews # 9
Bay Meadow Lane

SCT#
900-382-1-52
JONES # 11
Sandpiper
Court
EQUIPMENT ACCESS
& SPOIL SITE

SCT#
900-382-1-51
Fromer # 9
Sandpiper
Court

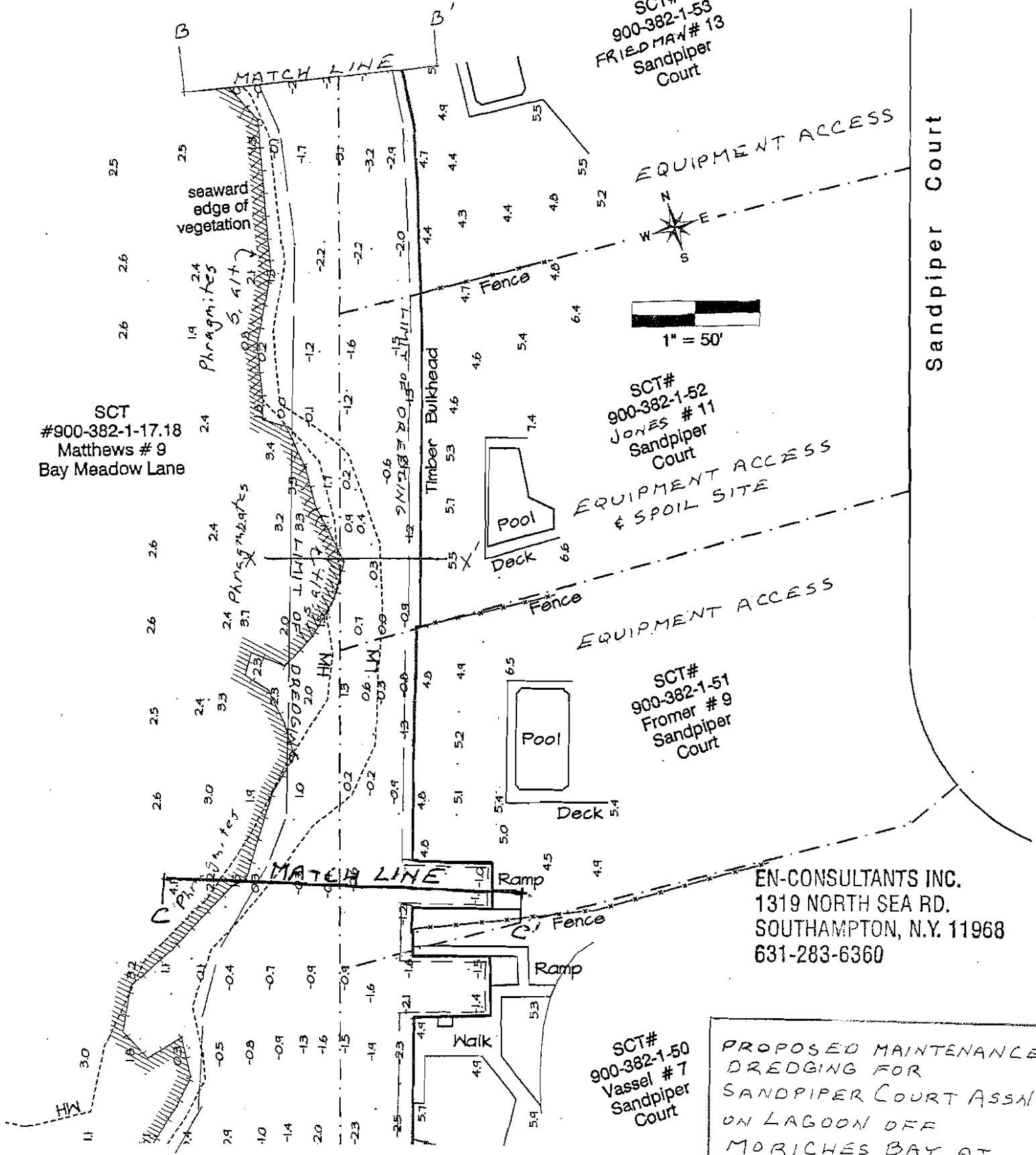
EN-CONSULTANTS INC.
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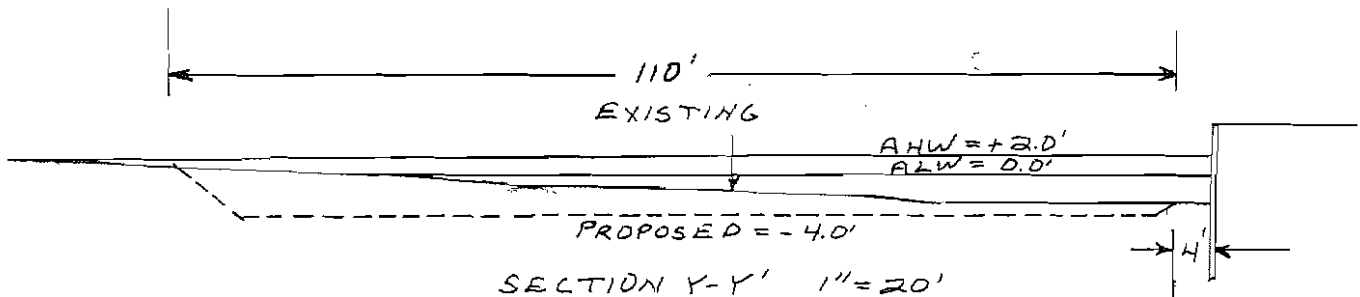
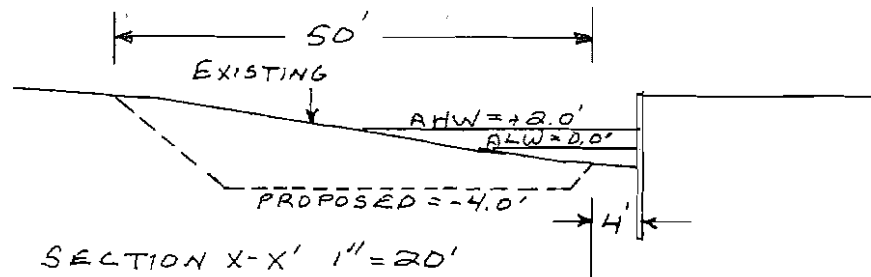
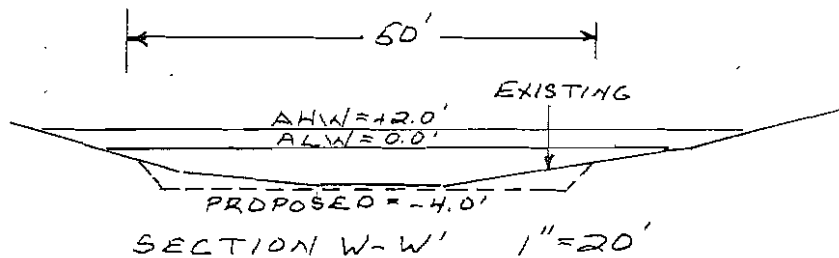
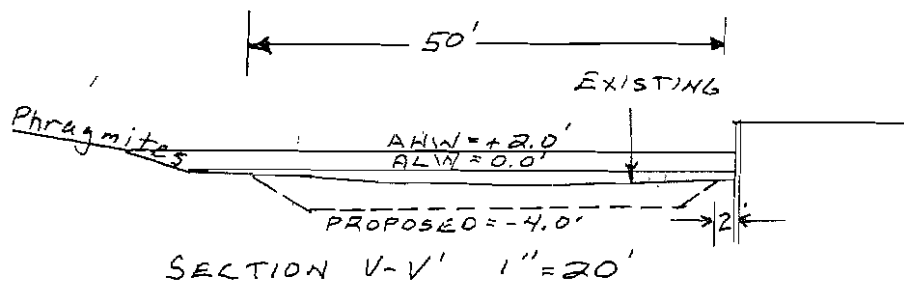
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Vassel # 7
Sandpiper
Court

PROPOSED MAINTENANCE
DREDGING FOR
SANDPIPER COURT ASSAI
ON LAGOON OFF
MORICHES BAY AT
WESTHAMPTON,
SUFFOLK CO., N.Y.
SHEET 4 of 8

7/10/06
7/20/06
3/3/07

App # 2006-3311

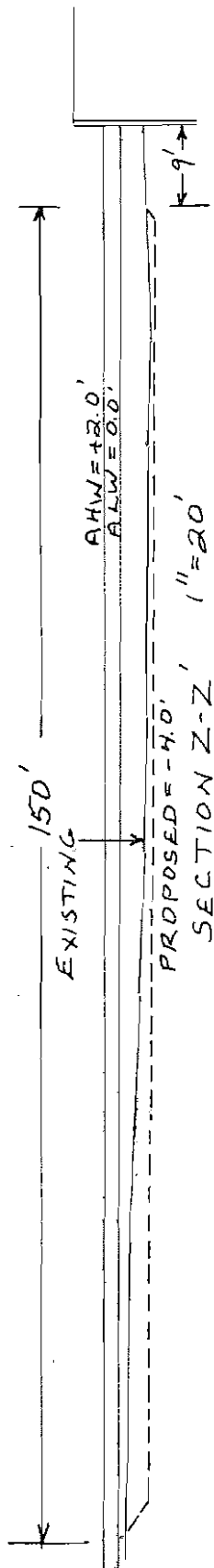




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ON LAGOON OFF
MORICHES BAY AT
WESTHAMPTON,
SUFFOLK CO., N.Y.
SHEET 6 of 8 7/10/06
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APP# 2006-321

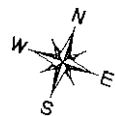


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PROPOSED MAINTENANCE
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ON LAGOON OFF
MORICHES BAY AT
WESTHAMPTON,
SUFFOLK CO., N.Y.
SHEET 7 of 8 7/10/06

7/20/06
3/3/07

App'l # 2006-3311



SCT
#900-382-1-17.18
Matthews # 9
Bay Meadow Lane

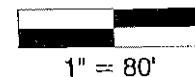
SCT#
900-382-1-54
Wentworth # 15
Sandpiper
Court

SCT#
900-382-1-53
Friedman # 13
Sandpiper
Court

SCT#
900-382-1-52
JONES # 11
Sandpiper
Court

SCT#
900-382-1-51
Fromer # 9
Sandpiper
Court

SCT#
900-382-1-50
Vassel # 7
Sandpiper
Court



1" = 80'

App / 8-20-06-3311

5400SF OF THE
EXISTING DRED-
GED SPOIL SITE TO BE
PLANTED WITH
SPARTINA ALTER-
NIFLORA I.O.C.

Boundary Lines as
per Filed Map

Sandpiper Court

EN-CONSULTANTS INC.
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SOUTHAMPTON, N.Y. 11968
631-283-6360

PROPOSED MAINTENANCE
DREDGING FOR
SANDPIPER COURT ASSN
ON LAGOON OFF
MORICHES BAY AT
WESTHAMPTON,
SUFFOLK CO., N.Y.
SHEET 8 of 8 3/3/07

